S.B. Criminal Misc. Bail Application No.6633/2006
Mukesh and others Vs. State of Rajasthan

Date Of Order :: 7.11.2006

Hon'ble Mr. Justice Jitendra Ray Goyal

Mr. D.S. Jhala, counsel for petitioners.
Mr. R.P. Kuldeep, Public Prosecutor for State.

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Heard learned counsel for accused petitioners, learned Public Prosecutor for the State, perused the case diary and other material produced during the course of arguments.

Learned counsel for accused petitioners does not press the anticipatory bail application of Mukesh since he has been arrested and on behalf of rest of the accused petitioners it is contended that they have falsely been implicated in this matter and general allegations have been levelled against them. It is also submitted that they have not been ascribed any injury on the vital part of the body of injured Rajendra and the same has been ascribed to co-accused Namita who is not before this Court and Mukesh who has already been arrested.

Learned Public Prosecutor opposed the bail application.

Without making any observation on merits, having considered the rival submissions made at the bar, nature of accusation, material on record and all other facts and circumstances and also keeping in view that the head injury has not been ascribed to accused petitioners Narottam and Anil but to other co-accused Namita who is not before this Court and Mukesh who has been arrested after filing of this anticipatory bail application, I deem it proper to grant the benefit of pre-arrest bail to accused petitioners Narottam and Anil .

In the result, the bail application of Mukesh is dismissed as having become infructuous and that of the accused petitioners

Narottam and Anil is allowed and it is directed that in the event of arrest of petitioners Narottam S/o. Prabhu Lal and Anil S/o. Namita, they shall be released on bail by the concerned SHO/Investigating Officer in FIR No.132/2006 registered at Police Station Sarola, District Jhalawar provided each of them furnishes a personal bond in the sum of Rs.10,000/- together with two sureties each in the sum of Rs.5,000/- to his satisfaction on the following conditions:-

1. that the petitioners shall make themselves available for interrogation by a police officer as and when required;
2. that the petitioners shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the court or any police officer; and
3. that the petitioners shall not leave India without previous permission of the Court.

(J.R. Goyal),J.

VS Shekhawat/-
Jr.P.A.